

Memorandum

Date: August 15, 2008
Telephone: (916) 651-0966

To: Chairman Jackalyne Pfannenstiel, Presiding Member
Commissioner Karen Douglas, Associate Member

From: California Energy Commission – Shaelyn Strattan
1516 Ninth Street Project Manager
Sacramento, CA 95814-5512

| | |
|-----------------|-------------|
| DOCKET | |
| 07-AFC-7 | |
| DATE | AUG 15 2008 |
| RECD. | AUG 15 2008 |

Subject: COMMUNITY POWER PROJECT (07-AFC-7) STATUS REPORT #5

Pursuant to direction from the Hearing Officer dated June 23, 2008, the following is the Energy Commission staff's Status Report #5 for the proposed Community Power Project (CPP).

Staff has been working through the analysis phase of the Application for Certification (AFC) process for the proposed CPP.

1. The applicant has not responded fully to Round #1 Data Requests, filed on January 23, 2008. Data Requests are still outstanding for Biology, Cultural Resources, Land Use, Waste Management, and Water Resources. The applicant has indicated that the remaining responses will be filed during the last week of August 2008, except as indicated below.
2. Biological, Cultural, and Hazardous Waste surveys and studies are still in progress.
 - The Fracture Mitigation Plan for horizontal drilling under the Kings River and Drainage Erosion and Sediment Control Plan (Data Request #70) are scheduled for completion by late August to mid-September.
 - The applicant now expects to complete the Biological Survey report and revision to the Biological Assessment for the Streambed Alteration Agreement in early to mid-September.
 - The Phase I Environmental Site Assessment (ESA; response to Data Request #67) for the natural gas and water pipeline routes is expected in mid- to late September 2008.
 - The cultural/historic evaluation of the canal crossings is underway (Cultural Resources Data Requests #22 and #23) and should be completed by early to mid-October. Seventeen canals would be crossed along the proposed gas pipeline route.

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- Staff anticipates that a second round of data requests will be needed to address the study results, ESA, and proposed mitigation plans.
3. The applicant now expects to file an AFC Supplement B in mid- to late September 2008, which will include minor transmission line reroutes, a new 60-acre construction staging area for the primary project site, and three new construction staging areas along the gas pipeline routing. The Alternatives Level Analysis of the PG&E transmission line reductorings (response to Data Request #52) will be filed at approximately the same time. Staff anticipates that a second round of data requests will be needed to address the proposed project changes and reductoring analysis.
 4. The San Joaquin Air Pollution Control District is still not expected to issue a Preliminary Determination of Compliance (PDOC) until late fall 2008.

Schedule

Given the continuing need for the information noted above, anticipated changes to the project, delay in the availability of a PDOC, and the high workload of other siting cases, staff does not expect to be able to complete a Preliminary Staff Assessment until late 2008 or early 2009. A more specific recommendation for a revised schedule will be provided in the next status report.

cc: Docket (07-AFC-7)
Proof of Service List



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV**

**APPLICATION FOR CERTIFICATION
for the KINGS RIVER CONSERVATION
DISTRICT COMMUNITY POWER
PROJECT**

Docket No. 07-AFC-7

**PROOF OF SERVICE
(REVISED 7/31/08)**

INSTRUCTIONS: All parties shall either (1) send an original signed document plus 12 copies or (2) mail one original signed copy AND e-mail the document to the address for the Docket as shown below, AND (3) all parties shall also send a printed or electronic copy of the document, which includes a proof of service declaration to each of the individuals on the proof of service list shown below:

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DECLARATION OF SERVICE

I, Maria Sergoyan, declare that on August 15, 2008, I deposited copies of the attached Community Power Project (07-AFC-7) Status Report #5, in the United States mail at Sacramento, CA with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.

Maria Sergoyan